

MAINE STATE LEGISLATURE

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L.D. 1308

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Date: 05-17-07

(Filing No. S-120)

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HEALTH AND HUMAN SERVICES

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

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SENATE

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123RD LEGISLATURE

8

FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 456, L.D. 1308, Bill, "An Act To
10 Ensure Consistency in Patient Care in Nursing Homes"

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Amend the bill by striking out the title and substituting the following:

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'Resolve, Regarding the Use of Restraints in Nursing Facilities'

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Amend the bill by striking out everything after the title and before the summary and
14 inserting the following:

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'Sec. 1. Preadmission information. Resolved: That the Department of Health
16 and Human Services shall adopt rules to ensure that prior to admission to a nursing
17 facility a prospective resident or the family or guardian of a prospective resident is
18 provided with information about the policy of the nursing facility regarding the use of
19 restraints, including examples of the use of and alternatives to restraints in the nursing
20 facility. The examples must include the use of bed side rails and other strategies to
21 address falls from bed. Rules adopted pursuant to this section are routine technical rules
22 as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it
23 further

24

Sec. 2. Report. Resolved: That on or before January 1, 2008, January 1, 2009
25 and January 1, 2010, the Department of Health and Human Services shall report to the
26 joint standing committee of the Legislature having jurisdiction over health and human
27 services matters regarding the use of bed side rails as restraints.'

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SUMMARY

This amendment replaces the bill with a resolve. The amendment requires the Department of Health and Human Services to adopt rules to ensure that prospective residents of nursing facilities and their families or guardians are provided information about restraint policies. The amendment also requires reports once a year for 3 years regarding the use of bed side rails as restraints.

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 1308

LR 1240(02)

An Act To Ensure Consistency in Patient Care in Nursing Homes

Fiscal Note for Bill as Amended by Committee Amendment "A "

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services resulting from this bill can be absorbed by the department utilizing existing budget resources.